

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NIGEL FREDRICKS,

Plaintiff,

-v-

DR. LIONEL DESROCHAS; CAPTAIN LEMON;
CORRECTION OFFICER WHITE, JR., Shield No.
8507; and CORRECTION OFFICER RITTER, in their
individual capacities,

Defendants.

CIVIL ACTION NO. 21 Civ. 8389 (JGLC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

The Court is in receipt of Plaintiff's letter at ECF No. 85 requesting that his case be reopened. Notwithstanding Plaintiff's more than two-week delay in complying with the Court's Order at ECF No. 83 directing plaintiff to clarify his intention of reopening this case, out of an abundance of caution, and given his pro se status, Plaintiff's request to reopen this case is GRANTED. (See Wilson v. Suffolk County District Attorney, No. 21 Civ. 4815 (JS) (AYS), 2021 WL 4311155, at *1 (E.D.N.Y. Sept. 22, 2021) (granting pro se plaintiff's application to reopen civil rights action by paying filing fee even after failing to comply with court's orders).

Plaintiff is ORDERED to file an amended complaint by **Monday, June 23, 2025**. The Amended Complaint must address the defects in Plaintiff's original complaint as highlighted by Defendants in their Motion to Dismiss. (See ECF Nos. 70-74). In other words, Plaintiff must plausibly allege that Defendants acted with deliberate indifference to his serious medical need and that he exhausted his administrative remedies under the Prison Litigation Reform Act.

Plaintiff is WARNED that failure to comply with this Order may result in dismissal of this action for failure to prosecute under Federal Rule of Civil Procedure 41(b).

Dated: New York, New York
June 9, 2025

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge